



ACTON PLANNING BOARD

Minutes of Meeting February 13, 2007 Acton Memorial Library

Planning Board members Mr. Greg Niemyski (Chairman), Mr. Christopher Schaffner (Vice Chair), Mr. Edmund Starzec (Clerk), Ms. Ruth Martin, Mr. Bruce Reichlen, Mr. Michael Densen and Mr. Alan Mertz attended. Also present were Town Planner, Mr. Roland Bartl and Secretary, Ms. Kim DelNigro.

Mr. Niemyski called the meeting to order at 7:32 PM.

I. Citizens Concerns

None raised.

II. Consent Agenda

Item A, Minutes of 1/23/07 passed by unanimous vote.

III. Reports

CPC: Mr. Starzec reported that two CPA project applications have been withdrawn. Mr. Starzec reported that every remaining project can be funded.

Open Space: Ms. Martin reported the committee has been discussing two large areas of conservation land and is working on a report to understand their history.

IV. Informal Discussion with Stamski & McNary/Northwest Dev. – QRCC Senior Res. Project

Ms. Jennifer Shea of NorthWest Development, LLC; Mr. George Dimakarakos of Stamski and McNary and Mr. Steve Graham, of Graham & Harsip, P.C were present.

Mr. Bartl stated the Planning Department has received a letter from Mr. Mike Toohill (Project Manager ENSR International, for the Environmental Monitor for the Conservation Commission and IPM/TM peer review for the Planning Board at the Quail Ridge Country Club) stating that the firm's work on this project will be stopped due the lack of payment by QRCC. In addition, the letter identifies three non-compliance issues relative to the Planning Board's decision. Mr. Graham and Ms. Shea stated that they had no knowledge of this issue and have not received a copy of the letter. A copy was given to Mr. Graham. Mr. Graham stated that outstanding bills will be paid. Ms. Shea stated she report back to the Planning Board prior to the next meeting.

Mr. Dimakarakos described the Senior Residence project which would be named "The Residences at Quail Ridge" located at the 145 acre Quail Ridge Country Club Site; 177 age restricted Senior Residence units in various arrangements in condo form of ownership; 9 affordable dwelling units and a 9 hole golf course in the open space. The development would be constructed in two phases. The units would have town water and there would be a sewage treatment plant. The entrances will connect from Skyline Drive, Palmer Lane and Acorn Park Drive. Mr. Dimakarakos stated that traffic studies will be prepared.

Ms. Shea described the dwelling designs, amenities, and the country club memberships.

Mr. Graham explained the financial situation of QRCC. The conceptual proposal is presented as Plan B if the drive for QRCC additional members fails to meet target income numbers.. Plan A is to retain the 18-hole course.

The Planning Board questions and concerns included:

- Get comments from the Police and Fire Departments.
- Design of the phases.
- Effect on current QRCC membership.
- Access roads.
- Traffic studies.
- The number of units.

- The market for the product.
- Compliance with State LIP for senior units.

The Board Chairman thanked Ms. Shea, Mr. Dimakarakos, and Mr. Graham for their time and effort to explain the project.

V. Zoning Articles – Public Hearing

Mr. Niemyski opened the public hearing at 8:15pm. Copies of the proposed zoning changes were provided to the public.

Present for the hearing were Mr. Johnston, Mr. Tuffin and Mr. Monahan and member of Finance Committee, Kent Sharpe. Mr. Johnston read the citizens petition urging changes and improvements to be made within the special requirement for wireless communication facilities. Mr. Johnston stated the need to look at surrounding towns' requirements, to have towers not located within 1,000 feet from any public school building, playground and/or real estate, and to ban towers from residential districts. Mr. Schaffner stated a town committee should be created. Mr. Tuffin stated the cell towers are an attractive nuisance if in the vicinity of schools, and they could bring a loss of home values.

Board members discussed and reviewed the other draft zoning changes:

- 1) Flexible parking design: No public comments. Board members had no other changes.
- 2) Tear-downs and reconstruction on undersized lots: No public comment. The Town Planner suggested a change to include in the proposed change homes destroyed by fire or disaster. Board members agreed and had no other changes.
- 3) Wireless Communication Facilities Amendments: No public comment. Board members discussed the proposed removal of section 3.10.6.9 of the bylaw. No changes were made.
- 4) Removal of Owner Occupancy Requirements: No public comment. The Town planner suggested combining footnotes 3 and 4 in the Table of Principal Uses since the two would read the same. Board members agreed. No other changes.

The Board voted unanimously to close the public hearing.

VI. 820 Main Street – Verizon Wireless Communication Facility SP – Cont. of Public Hearing

Mr. Niemyski opened the public hearing at 9:08pm. Mr. Bruce Reichlen recused himself due to being a close abutter to the property. Representatives present for Verizon: Mr. James Valeriani, attorney; Mr. Michael Creamer, engineer; Mr. David Velez, real estate advisor. For the Board: Mr. David Maxson from Broadcast Signal Lab, LLC (Board consultant).

Board members reviewed documents and revised plans. Mr. Valeriani provided information related to the questions and issues raised at the 1/9/07 Planning Board hearing. Mr. Valeriani stated a meeting had taken place on Monday with Crown Castle and the McKay's at nearby 982 Main Street where another tower is located with Verizon equipment. Verizon had reported difficulty with the land owner over upgrades. He is hoping they can come to an agreement. Mr. Valeriani suggested the resolution of the issue could be conditioned in the decision within a set time period. Mr. Velez stated he had spoken with the McKay's and they are unhappy with Crown Castle and with their business ethnics. Mr. Maxson suggested wireless backhaul from the street to avoid the need for a cable. Mr. Maxson discussed the differences between a flush mounted cell tower and a monopole. Mr. Craemer explained Verizon's phased development and that there is an area with a cell phone coverage gap. Mr. Craemer explained and showed a map of coverage gaps with and without the proposed facility in North Acton at various heights.

The Planning Board questions and concerns included:

- Need for one valuable site in North Acton. Probably not two.
- Why is the post office square lease still not occupied?
- Concerned with having two cell towers close in location.
- Use wireless back haul instead of fiber optic cables.

- Comparison of monopolies to use.
- Appearance v. accommodation of town communication equipment.

Abutters in attendance raised questions and concerns regarding:

- Try to combine sites.
- Try to work with the easement.
- Where are the plans of the easement?
- Why are there so many continuations of the public hearings?
- What is the legal status of the existing radio tower?

The Board directed the applicant to provide plan revisions to the staff to address outstanding concerns and provide answers to the questions asked. The motion was made to continue the public hearing on February 27, 2007 at 7:45 PM at the Memorial Library.

The motion passed unanimously. The Applicant signed a continuation agreement that also extends the decision deadline to March 15, 2007.

Mr. Schaffner moved to close the meeting, Mr. Starzec 2nd; all voted in favor.

The meeting adjourned at 10:23PM.